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<b>United States of America,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CR-23-00320-JAS(BGM)</b>
	)	
<b>v.</b>	)	<b>MOTION TO CONTINUE</b>
	)	<b>SENTENCING HEARING</b>
<b>Brian Jesus Hernandez,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

Defendant, Brian Jesus Hernandez, through counsel undersigned, respectfully requests this Honorable Court continue the Sentencing Hearing, currently scheduled for Wednesday, January 24, 2024 at 10:20 a.m., for a period of twenty-one (21) days. This request for a continuance is made for the following reasons:

(1) Undersigned counsel has just learned that the Defendant has tested positive for COVID-19 on January 21 and will need approximately 21 days to quarantine, and thereafter, test positive, before he can safely return appear in this Honorable Court.

(2) Assistant United States Attorney, Craig Russell, has no objection to this requested continuance.

1 (3) Undersigned counsel avers that this request has not been made for purposes  
2 of harassment or delay.

3  
4 RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of January, 2024.

5 /S/ Benjamin W. Aguilera

6 Benjamin W. Aguilera

7 Attorney for Brian Jesus Hernandez

8  
9 Certificate of Service

10 I hereby certify that on January 22, 2024, I electronically transmitted the attached  
11 document to the Clerks' Office using the CM/ECF System for filing and transmittal of a  
12 Notice of Electronic Filing to the following CM/ECF registrants:

13 Matthew.cassell@usdoj.gov

14 Craig.russell@usdoj.gov

15 By BA

16 6350 - B Hernandez - mtc sent3